

Introduced by Senator Ackerman

February 24, 2006

An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1707, as introduced, Ackerman. Public contracts: approval of contracts.

Existing law requires the Department of General Services to approve certain contracts entered into by a state agency, including contracts for the construction, alteration, improvement, repair, or maintenance of property, or the performance of work or services by the state agency for, or in cooperation with, any person or public body.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10295 of the Public Contract Code is
- 2 amended to read:
- 3 10295. (a) All contracts entered into by any state agency for
- 4 (1) the acquisition of goods or elementary school textbooks, (2)
- 5 services, whether or not the services involve the furnishing or use
- 6 of goods or are performed by an independent contractor, (3) the
- 7 construction, alteration, improvement, repair, or maintenance of
- 8 property, real or personal, or (4) the performance of work or
- 9 services by the state agency for or in cooperation with any

1 person, or public body, are void unless and until approved by the
2 department. Every contract shall be transmitted with all papers,
3 estimates, and recommendations concerning ~~it~~ *the contract* to the
4 department and, if approved by the department, shall be effective
5 from the date of the approval.

6 (b) This section applies to any state agency that by general or
7 specific statute is expressly or impliedly authorized to enter into
8 transactions referred to in this section.

9 (c) This section does not apply to the following:

10 (1) Any transaction entered into by the Trustees of the
11 California State University, by the Board of Governors of the
12 California Community Colleges, or by a department under the
13 State Contract Act or the California State University Contract
14 Law.

15 (2) Any contract of a type specifically mentioned and
16 authorized to be entered into by the Department of
17 Transportation under Section 14035 or 14035.5 of the
18 Government Code, Sections 99316 to 99319, inclusive, of the
19 Public Utilities Code, or the Streets and Highways Code.

20 (3) Any contract entered into by the Department of
21 Transportation that is not funded by money derived by state tax
22 sources but, rather, is funded by money derived from federal or
23 local tax sources.

24 (4) Any contract entered into by the Department of Personnel
25 Administration for state employee benefits, occupational health
26 and safety, training services, or combination thereof.

27 (5) Any contract let by the Legislature.

28 (6) Any contract entered into under the authority of Chapter 4
29 (commencing with Section 11770) of Part 3 of Division 2 of the
30 Insurance Code.